IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 23220 of 2007(L)

PETITIONER:

VARUN K.M.,
KRIPA HOUSE, T.B.ROAD, PALA.

BY ADV. SRI.P.BABU KUMAR

RESPONDENTS:

1. DIRECTOR OF HIGHER SECONDARY EDUCATION,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR,
   LAL BAHADUR SASTRI CENTER FOR SCIENCE & TECHNOLOGY
   NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM.

BY G.P.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.23220 of 2007

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Dated this the 30th day of July, 2007

J U D G M E N T

The petitioner wrote the State Eligibility Test (SET). However, he did not obtain separate minimum of 35 per cent for one paper. The petitioner seeks a direction to the 2nd respondent to grant moderation. The contention is that moderation is granted in respect of aggregate marks in both papers whereas for obtaining separate minimum in two papers, no moderation is granted, which, according to the petitioner, is not proper and therefore, the mode of granting moderation should be revised.

I am afraid that I cannot countenance the contention of the petitioner. In fact, according to me, the very grant of moderation even for the aggregate marks is unnecessary in so far as there are plenty of persons who have passed SET in the State, who are awaiting employment. Further awarding of moderation of marks is in the absolute discretion of the authority concerned and this

court cannot direct the respondents to grant moderation as of right to anybody. Therefore, I do not find any merit in the writ petition and accordingly, the same is dismissed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

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P.A. to Judge.